

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF BECKER

SEVENTH JUDICIAL DISTRICT

**Margaret Campbell,**

Case Type: Employment

Court File No.: \_\_\_\_\_

Plaintiff,

Judge: \_\_\_\_\_

vs.

**Honor the Earth,****COMPLAINT AND  
DEMAND FOR JURY TRIAL**

Defendant.

Plaintiff Margaret Campbell, through her attorneys, Christy L. Hall and Ashlynn Kendzior of Gender Justice, 200 University Ave. West, Suite 200, St. Paul, Minnesota 55103, for her Complaint against Honor the Earth, states and alleges as follows:

**INTRODUCTION**

Plaintiff Margaret “Molly” Campbell worked for Honor the Earth for over six years. She was and still is committed to the excellent work the organization does to bring attention to Native environmental issues, including stopping pipelines from being built through tribal treaty lands. However, during 2014 and 2015 she was sexually harassed by a co-worker at Honor the Earth. She also learned that the co-worker, who did youth organizing at Honor the Earth, had been credibly accused of using his status as a spiritual leader to commit sexual violence against Native boys. She was extremely disappointed when Honor the Earth failed to take these accusations seriously. Instead of acting promptly to protect the community from this predator, Honor the Earth tried to silence Campbell to protect the organization’s reputation.

Too often, victims of sexual violence are asked to sacrifice themselves for important causes. In progressive communities this often takes the form of silencing people who would expose community leaders. Survivors are told that high profile perpetrators and the people who protect

them are more important to the greater goal than their lives are. But progressive causes are undermined by this behavior. We need to eradicate rape culture in our own communities or we lose all credibility in our fight for a just world.

Gender Justice is representing Campbell in this lawsuit because as an organization dedicated to pursuing gender equality, we know that sexual harassment in the workplace damages its targets' career development and advancement and contributes to unequal pay and status. The insidious and damaging nature of sexual harassment is not limited to corporations or the halls of Congress; we find it in every corner of American life, even in organizations who exist to foster progressive social change.

Plaintiff brings this lawsuit to remedy illegal retaliation and illegal discrimination based on her sex through permitting a pattern and practice of sexual harassment in violation of the Minnesota Human Rights Act (MHRA), Minn. Stat. §§ 363A.01, *et. seq.*

### **PARTIES, JURISDICTION & VENUE**

1. Plaintiff is a citizen of Minnesota.
2. During all relevant times Plaintiff and Defendant were "employee" and "employer," respectively, as defined by Minn. Stat. § 363A.03.
3. Defendant is a nonprofit corporation under Minn. Stat. § 317A registered with the State of Minnesota.
4. Defendant's registered office is located at 607 Main St., Callaway, MN 56521.
5. The District Court in the County of Becker, State of Minnesota, has original jurisdiction over the parties and all the claims set forth in this Complaint, pursuant to Minn. Stat. § 484.01, subd. 1.
6. Venue in this Court is proper pursuant to Minn. Stat. § 542.09, because Defendant is located in Becker County.

7. On January 29, 2016, Plaintiff filed a charge regarding the events in this complaint with the Minnesota Department of Human Rights (MDHR). On December 6, 2018, Plaintiff received notice that MDHR closed her complaint and informing her of her right to bring a lawsuit. This complaint follows.

### **FACTUAL ALLEGATIONS**

8. Campbell was initially hired by Honor the Earth as an intern.
9. Honor the Earth was founded in 1993. Its mission is to create awareness and support for Native environmental issues. Campbell did, and still does, strongly support this mission.
10. In the winter of 2009, Campbell began working as a long-term, paid employee for Honor the Earth on development and special projects.
11. Campbell sometimes worked remotely, often from Saint Paul, Minnesota. When she worked on site at the Callaway office, Campbell would stay on the White Earth Reservation.
12. Campbell did not have an official job title but would complete any and all tasks that needed to be completed. She typically worked 40 or more hours per week. Campbell's work included program management, organizing, nonprofit development, and office management. Campbell's job duties included monitoring the executive director's Facebook and other social media accounts.
13. Honor the Earth's executive director, Winona LaDuke, is an environmentalist, economist, and writer. She is an enrolled member of the Ojibwe Nation. In 1996 and 2000, she ran for Vice President of the United States as the nominee of the Green Party, on a ticket headed by Ralph Nader.
14. Honor the Earth improperly classified Campbell and most of its employees as "independent contractors." As a result, Honor the Earth avoided paying payroll taxes for these employees.

At the end of the year, Honor the Earth gave Campbell an IRS form 1099 to document her income.

15. Because she earned approximately \$17,000 a year, paying taxes in a lump sum like an independent contractor was a significant hardship for Campbell. In at least one year, Campbell insisted that Honor the Earth pay her taxes since she should have been salaried. Honor the Earth agreed. Campbell has no knowledge of how Honor the Earth dealt with this payment in its accounting records.
16. Honor the Earth usually only had two workers it officially classified as “employees” and paid a salary: LaDuke and the Chief Financial Officer. Most other workers were classified as independent contractors and given 1099s, like Campbell.
17. By the time Campbell began working with Honor the Earth, Michael Dahl had positioned himself as a spiritual leader in the White Earth community.
18. Dahl did not have the qualifications or experiences typical for a spiritual leader. Outside of White Earth, he is not generally recognized as a spiritual leader in the Ojibwe tradition.
19. As a spiritual leader, Dahl had the opportunity to work with teenage boys who were part of his drum group.
20. Sometime after Campbell joined Honor the Earth, Dahl became involved with the organization through the White Earth Land Recovery Project (“WELRP”). Like Honor the Earth, the WELRP was also founded by LaDuke, who also serves as its executive director.
21. Campbell first met Dahl in the winter of 2013, when he came to Honor the Earth for a meeting about a radio station run by WELRP.
22. Around that time, Dahl transitioned from working at WELRP to working at Honor the Earth. He worked on and off at Honor the Earth after that.

23. In the early fall of 2014, Campbell and Dahl attended a two-week-long horse ride in connection to their employment at Honor the Earth. This horse ride was part of Honor the Earth's pipeline campaign and both Campbell and Dahl were paid for attending. The horse ride was also attended by LaDuke, her family, and community members.
24. During the horse ride, Dahl shared a tent with two young men. Dahl publicly made several inappropriate jokes about the sleeping arrangements. This included a joke about waking up next to the boys with an erection and a joke about giving the boys a hand job.
25. LaDuke's two adolescent sons also attended the horse ride. Dahl made inappropriate comments to them about masturbation. This made the boys uncomfortable and created an antagonistic relationship between them and Dahl.
26. Lorna Hanes, Winona LaDuke's sister, saw the comments made to LaDuke's sons and confronted Dahl and called him a "perv." This caused a verbal altercation that many people on the ride witnessed. However, LaDuke did not take Hanes' or her own sons' concerns seriously. She pointed to the fact that Lorna had previously suffered a serious head injury to delegitimize her concerns.
27. LaDuke would refer to Dahl's status as a spiritual leader to justify his actions and diminish the concerns of community members. Because of this, Campbell initially ignored her gut feelings that Dahl was behaving in sexually inappropriate or abusive ways that were designed to push people's boundaries.
28. At around the same time in the fall of 2014, Dahl began directing inappropriate sexually charged comments at Campbell directly.
29. Dahl's comments towards Campbell were initially directed at her clothing. Campbell would often wear tank tops on hot days when she had to work in the garden as part of her employment at Honor the Earth. Dahl told her that her tank top was inappropriate and that

it was not men's fault if they stared at her when she was dressed that way. He told her that men only think about sex so it was her responsibility to dress appropriately.

30. Dahl frequently made comments like this towards Campbell and other women and girls.

31. Campbell complained about these comments to LaDuke, who did not take the situation seriously. LaDuke told Campbell that "that's just how Michael is."

32. When working at the Honor the Earth office location in Callaway, Campbell would stay at LaDuke's house. While staying there, Campbell was not charged rent but was expected to be constantly on call to complete tasks that were not substantially related to her employment. These tasks included completing financial aid applications for LaDuke's school age children, driving LaDuke's middle school children to school and ensuring they did not skip school, cooking meals for the family, feeding LaDuke's animals, responding to LaDuke's personal mail and bills, and babysitting LaDuke's grandchildren.

33. Campbell felt like she was being treated like a live-in nanny. When she addressed her concerns with LaDuke, she was told that she either had to care for LaDuke's children or pay rent.

34. Because of LaDuke's inability to maintain reasonable boundaries, Campbell did not feel like she could continue with these living arrangements. Around October 2014, Campbell moved out.

35. Campbell moved into a three-bedroom cabin with Michelle McQuaid, another employee of Honor the Earth. Campbell paid around \$466 per month for the cabin.

36. During this same time Dahl was also looking for a place to live. Because Campbell's rented cabin had an extra bedroom, McQuaid and Dahl pressured her into letting him stay there.

37. Campbell felt coerced because no one else, including McQuaid and LaDuke, seemed to think Dahl's behavior was inappropriate. They all treated Dahl as a spiritual leader with

- authority in the community and told Campbell that Dahl would become homeless if he was not able to stay at the cabin.
38. For these reasons, Campbell agreed to let Dahl rent a room in the cabin with her and McQuaid.
39. Around that same time, Dahl and Campbell travelled to British Columbia, Canada, for a funding retreat connected to Honor the Earth's work on tar sands. The retreat was attended by funders and community partners.
40. One morning, Campbell arrived late to circle discussion session. When she arrived Dahl was already there, standing in a circle of colleagues outside a break-away session. In front of the other participants, he asked her, "Who'd you fuck last night?" He also publicly said, "You look like you've been fucked." Everyone else looked uncomfortable.
41. Campbell felt humiliated in front of her colleagues, many of who were leaders in environmental advocacy.
42. After returning from the retreat, Campbell again reported Dahl's behavior to LaDuke and asked LaDuke to do something about it. LaDuke denied this request and told Campbell that Dahl had "verbal Tourette's," implying that he could not be held responsible for his words and actions.
43. Because LaDuke did not take Campbell's concerns seriously, Campbell reached out to Maggie Rousu, who worked at WELRP and had a background in human resources. She asked Rousu what she should do. Rousu told her that she should talk to Dahl about the issues on her own.
44. Next, Campbell reached out to Jennifer Kreisberg, who served on the Board of Directors for Honor the Earth. Kreisberg claimed that Dahl was gay and that was why he made the comments. She told Campbell, "just don't let people treat you that way." Campbell took this

to mean that the problem was not Dahl's inappropriate comments, but rather that she was not strong enough to stand up for herself.

45. Around this time Campbell became increasingly uncomfortable staying at the cabin with Dahl. She began to hear from advocates for survivors of sexual violence that Dahl had been publicly accused of having inappropriate sexual relationships with young boys.
46. Campbell was extremely concerned about this. She informed LaDuke about what the advocates had said and pushed her to set up a meeting with them to learn more.
47. LaDuke delayed collecting additional information. LaDuke told Campbell that these were just rumors from political enemies trying to harm Honor the Earth.
48. Campbell avoided staying at the cabin by staying in the Twin Cities and working remotely. Sometimes, LaDuke would ask Campbell to work on a project on site. When she worked at the Callaway office, Campbell felt she had no alternative but to stay at LaDuke's home because she could not continue to live with Dahl.
49. In December of 2014, Dahl and Campbell travelled to Denver, Colorado to staff an art show held as part of an Honor the Earth board meeting.
50. While working at the art show, Campbell was having a conversation with a colleague from a partner environmental organization. During this conversation Dahl approached with a phallic shaped object in his pocket. He then told Campbell, "I have something for you." and gestured towards his pocket.
51. Based on her conversation with Kreisberg, Campbell attempted to stand up for herself by telling Dahl this was inappropriate and made her uncomfortable. Dahl just laughed in Campbell's face in response and introduced himself to Campbell's colleague.
52. After returning from the trip in December, Campbell again attempted to address her concerns with members of the Board of Directors. She talked to Shannon Martin, chair of

the board, and Kimberly Smith, another board member. Martin and Smith told her to sort it out on her own. She also spoke with Kreisberg again, who told her that “queens will try to get away with that, you just have to learn to stand up for yourself.”

53. Campbell also again told LaDuke about the inappropriate behavior from Dahl. LaDuke thought the incident was funny and told Campbell that Dahl just lacked social skills.
54. Neither LaDuke nor the Honor the Earth Board took any action at any time to stop the sexually harassing comments.
55. After the Denver trip, Campbell never returned to her rented cabin. She left all her belongs there and did not even have a winter coat with her.
56. This made it increasingly difficult for Campbell to work on site at Callaway.
57. Finally, after hearing from Campbell about allegations of Dahl’s sexual misconduct with minors for almost three months, LaDuke set up a meeting to learn more about the allegations.
58. LaDuke agreed to meet with Lonna Stevens-Hunter, an employee of the Minnesota Indian Women’s Sexual Assault Coalition (MIWSAC) at the end of January in 2015. Bonnie Clairmont, who worked at the Tribal Law and Policy Institute (TLIP), and Campbell also attended the meeting.
59. TLIP is affiliated with MIWSAC. Clairmont and Stevens-Hunter are well-known and respected Native activists who have worked for decades to eliminate sexual violence in Native communities.
60. At the meeting with the TLIP and MIWSAC advocates, they told LaDuke and Campbell about an incident that happened in 2012.
61. In 2012, MIWSAC had a gathering at White Earth. Clairmont was present for this gathering. The gathering included a gift giving ceremony, and Dahl was a participant in the ceremony.

62. One mother at the MIWSAC gathering stood up and publicly refused to accept a gift. She told those present that Dahl had sexually abused her son when he was fifteen and too young to consent to sexual acts.
63. After the MIWSAC gathering, many organizations stopped working with Dahl and more stories came out. Michael Dahl's inappropriate sexual behavior towards boys became an open secret in the White Earth Community.
64. After hearing about this from Clairmont and Stevens-Hunter, LaDuke asked for identifying information about the boy who was the subject of the accusation. Wary of LaDuke's intentions, they declined to name him.
65. Because LaDuke seemed to be disregarding the allegation, Campbell then reminded LaDuke about the harassment she had personally experienced and brought to LaDuke's attention in the past. LaDuke again responded dismissively, saying, "oh, he does that to everyone, all the women." Then she laughed and added, "but he doesn't do it to me."
66. Clairmont and Stevens-Hunter encouraged LaDuke to take the sexual harassment seriously. They told LaDuke that sexual harassment was against the law. Campbell told LaDuke that she wanted to make a formal complaint about the sexual harassment.
67. LaDuke responded that it was "past the statute of limitations." The most recent incident of harassment had occurred approximately a month before the meeting.
68. Then LaDuke abruptly changed the topic to a fundraising campaign. She told Clairmont and Stevens-Hunter that she was hosting an event in a few weeks with Eve Ensler about sexual violence against Native women. LaDuke asked if they would speak at the event.
69. Clairmont and Stevens-Hunter were appalled. They felt like LaDuke was ignoring their allegations and trying to buy their silence with her connections. They did not understand

how LaDuke could host an event like this while simultaneously ignoring sexual violence in her own organization.

70. Clairmont and Stevens-Hunter bluntly informed LaDuke that they would not participate in any actions with Honor the Earth while it still harbored a sexual predator.
71. After the meeting with Stevens-Hunter and Clairmont, Campbell still continued to hope that she could convince LaDuke to take the problem seriously.
72. Campbell told LaDuke that it was important to believe victims. But instead, LaDuke brushed off the accusations saying, "Michael isn't dangerous." She also said, "We need to think about what redemption looks like . . . he does such good work."
73. LaDuke failed to acknowledge the dynamics of sexual assault reporting and investigation saying, "They didn't file a complaint with the police or press charges, so how can we know? Those are serious accusations."
74. LaDuke continued to ignore the other behavior that she had witnessed with her own eyes: the inappropriate comments Dahl made to minors in front of her while he was working, and his sexual harassment of Campbell.
75. Campbell told LaDuke that she was concerned because Dahl was working with youth in his role as an organizer for Honor the Earth. She told LaDuke that just the other day, she had found out that Dahl was meeting with students on a college campus after 11 PM and that this was a risk.
76. LaDuke became irritated. She told Campbell she was not willing to tell Dahl not to work with youth. She said that if Campbell felt that strongly about it, Campbell could talk to Dahl herself and take him off organizing.
77. Campbell became concerned that without additional pressure, Honor the Earth and LaDuke would not take any action to correct the situation. She decided to reach out to allies and

partner organizations in the environmental movement that could help encourage LaDuke to change her mind.

78. Campbell started by reaching out to Dallas Goldtooth to discuss the situation and her possible options.
79. Goldtooth is an activist, actor, and comedian. He is widely respected in the environmental movement. He and his father work for the Indigenous Environmental Network, an environmental organization that frequently collaborates with Honor the Earth.
80. After Campbell spoke to Goldtooth, Honor the Earth board member Kimberly Smith heard about their conversation.
81. Subsequently, Smith called Campbell. Instead of asking what she could do to fix the situation, Smith berated Campbell. Smith told Campbell that Goldtooth had called her and said that contacting him was completely inappropriate and that Campbell should not have shared information outside the organization. Smith told Campbell that LaDuke would have to deal with this situation and they had to follow LaDuke's lead. Finally, Smith told Campbell that she should not cause drama and should not tell Goldtooth about the conversation they were having.
82. Despite this advice Campbell spoke to Goldtooth again. Goldtooth denied talking to Smith and rejected her characterization. Goldtooth told Campbell that her actions were appropriate and that this was an important issue that needed to be dealt with. Goldtooth told Campbell that she should continue to speak out.
83. Because of these conversations, Campbell felt manipulated by Smith and started to feel that she could not trust Smith or other board members to do the right thing.
84. After Campbell's conversation with Goldtooth, LaDuke asked Campbell to work on the anti-sexual violence event with Eve Ensler that she had discussed at the meeting.

85. On January 31, 2015, Campbell responded to LaDuke saying that her conscience wouldn't let her work on an anti-sexual violence event for Honor the Earth while LaDuke still had not addressed Dahl's behavior.
86. LaDuke responded saying that Campbell had not given her enough time to speak to Dahl in person about the complaints. Campbell pointed out that LaDuke had had months to deal with the situation and had done nothing.
87. That same day, LaDuke sent a Facebook message to Dahl that said, "Whata im gonna do is have a nice visit with you this week. you and me. you're in a bit of a pickle i think and i want to help you get out of htat pickle if I can. Or at least be your friend."
88. Because part of Campbell's job duties were to monitor LaDuke's social media, Campbell saw this Facebook conversation. Campbell was concerned that LaDuke continued to trivialize the problem.
89. Over the next few days as LaDuke continued to discuss the issue on Facebook with friends and Honor the Earth board members, it became increasingly clear to Campbell that LaDuke and Honor the Earth would not take action against Dahl. Instead, Honor the Earth's primary concern was a public relations problem.
90. To "investigate" the allegations of sexual misconduct with minors, LaDuke reached out a relative, Terri LaDuke, via Facebook message on February 2, 2015. Terri noted, "I know theres lotsa talk about [Dahl] as a pedophile. First heard rumors from ugly ol mark rolo in the 90s! But thought what would he know!"
91. Winona LaDuke responded, "I think that [Dahl] is two spirit and probably did have sex with this guy,,and that was not good for either of them.. and the guys mom.. hmm." Winona LaDuke failed to acknowledge that the "guy" involved was a fifteen-year-old boy incapable of consent, and that Dahl had a position of authority over him as a spiritual advisor.

92. Winona LaDuke continued, "I don't think [Dahl] is a predator or pedophile as he's raised a lot of young men and there is no discussion sign or anything of that there's a lot of trust of him by young men and all of us. I would stand by that."
93. LaDuke did not explore or even acknowledge the inconsistency between this and her assertion that Dahl "did have sex" with the minor under his spiritual care, or with the reality that there was in fact much discussion and many signs about Dahl's predatory behavior, including the sexually inappropriate comments toward minors that she had personally witnessed.
94. Continuing the Facebook comment thread, Terri LaDuke stated, "My sons respect him, he was their teacher. I met the boys he raised too. But big mistake made to experiment with hat boy. Like, what?!?" Then Terri advised Winona, "Don't fire [Dahl]."
95. Winona LaDuke responded, "I have to put him on administrative leave till I finish [the anti-sexual violence Eve Ensler] event. And but I talked to him yesterday and told him I would keep up on the rest of the work with him. I believe him thanks for the level head."
96. In other words, LaDuke wanted to temporarily suspend Dahl to avoid bad public relations connected with the Ensler event but had no intention of taking any other action.
97. In a subsequent conversation on Facebook with Honor the Earth board members, LaDuke wrote that she "confidentially checked out the story" with Terri and that "she really does think [Dahl's] version is the correct one as well."
98. The board members responded primarily with concern about damage to the organization from "rumors" and "other actions by other organizations."
99. Board members suggested that Honor the Earth might want to take some action "against these other organizations" or issue a press release. They encouraged LaDuke to follow up with a personal conversation with Goldtooth.

100. In contrast with LaDuke's approach to the sexual assault and abuse allegations against Dahl, she and Honor the Earth took immediate action to punish Campbell for raising the issue.
101. On February 4, 2015, an Honor the Earth board member informed Campbell that she was being placed on an administrative leave. When Campbell inquired further, the board member and LaDuke clarified that the leave was unpaid. The board member told Campbell that she had violated confidentiality by talking to Goldtooth.
102. Honor the Earth did not have any confidentiality policies. Talking to Goldtooth was Campbell's last resort when she had tried for months to work internally to get the organization to address the sexual harassment and abuse.
103. After putting Campbell on unpaid leave, LaDuke said perhaps Campbell could be paid for some work. But the only work she would permit Campbell to do was to help organize and promote the anti-sexual violence event with Eve Ensler. Campbell again refused.
104. On February 6, 2015, Campbell submitted a resignation letter to the Honor the Earth and WELRP boards saying she could no longer, in good conscience, work at Honor the Earth while LaDuke and the board continued to protect Dahl and disregard sexual harassment and abuse.
105. On February 7, the day after Campbell resigned, LaDuke sent Campbell an email threatening her to stay quiet about what had happened. In the email, LaDuke said that comments from Campbell could be grounds for a defamation lawsuit and that continuing to speak out would not be helpful to the "movement" or to Campbell's "continued political work in this realm."
106. After being terminated from Honor the Earth, Campbell went to a meeting being held by Clairmont and Stevens-Hunter. The topic of the meeting was to address sexual abuse by purported spiritual leaders in the Native community. The meeting was attended by several

other community members who were concerned with Dahl and with LaDuke's response to Dahl's behavior.

107. Those at the meeting decided that the best response was to write an open letter to Honor the Earth and LaDuke. Their goal was to express their feelings to Honor the Earth and establish that they did not condone the organization's behavior. They wanted to encourage Honor the Earth to take action and create victim-centered policies for dealing with future complaints.
108. Thirty-eight community members signed the letter and sent it to LaDuke on February 19, 2015.
109. On February 20, LaDuke sent Campbell a letter styled as a "cease and desist" notice. In the letter, LaDuke accused Campbell of showing "clear disregard for the best interest of Honor the Earth as the organization you were contracted with and paid to promote."
110. Further, LaDuke responded by sending a letter to signatories of the open letter including Stevens-Hunter, Clairmont, and Campbell, saying she had fully investigated the situation and she would be in town that day. She said if they wanted to get to the bottom of the situation, they could come meet her "if [they] dare." Dahl was cc'd on this letter.
111. On February 26, LaDuke's lawyer sent Campbell a threatening letter, giving her "fair warning and official notice that [her] statements are not accurate." (emphasis in original). The letter went on to threaten legal action if she did not "stop the defamation and walk away quietly."
112. Since her resignation from Honor the Earth, Campbell has been effectively blacklisted from working in the environmental movement. LaDuke is a very well-known and respected figure in the environmental community. LaDuke has falsely told other environmental organizations that she fired Campbell for violating confidentiality.

113. Specifically, Campbell applied to work at 350.org, a national environmental organization. On April 1, 2015, LaDuke sent staff at 350.org an email saying, “the board directed me to terminate [Campbell] for violating confidentiality. I did...i also filed a cease and desist against [Campbell].” Campbell was not given a job at 350.org.
114. As a result of being unable to find work in the environmental sector, Campbell has had to completely change careers. She is currently working for minimum wage in a café and attending school for massage therapy.
115. Years later, in January of 2018, Dahl was in the news when three horses placed under his care starved to death in the snow. One of the horses, along with Dahl, had participated in a horse ride with Honor the Earth in 2015. In a news release, Honor the Earth condemned the horse deaths, saying, “[t]he Michael Dahl we knew was a kind person with commitments to his family, animals and community.”

### **COUNT I**

#### **Sex Discrimination Minnesota Human Rights Act**

Plaintiff realleges the above allegations of this Complaint and alleges as follows:

1. Defendant discriminated against Plaintiff by permitting a pattern and practice of sexual harassment against her because of her sex, within the meaning of Minn. Stat. § 363A.03, subd. 13, 42, and 43, and Defendant’s actions, therefore, constitute an unfair employment practice against her in violation of Minn. Stat. § 363A.08, subd. 2.
2. Plaintiff reported that she was sexually harassed and subject to a hostile work environment by a coworker.
3. Defendant took no action to oppose or remedy the hostile work environment or sexual harassment

4. Defendant Honor the Earth is vicariously and/or directly liable for the harassment of Plaintiff by Dahl.
5. The unlawful employment practices complaint of above were intentional and were performed by Defendant with malice and/or reckless indifference to Plaintiff's rights.
6. As a direct and proximate cause of Defendant's illegal conduct, Plaintiff has suffered, and continues to suffer, emotional distress, mental anguish, humiliation, embarrassment, loss of reputation, lost wages and benefits, has incurred attorneys' fees, costs and expenses and has suffered other serious damages.

## **COUNT II**

### **Reprisal Minnesota Human Rights Act**

Plaintiff realleges the above allegations of this Complaint and alleges as follows:

1. Defendant unlawfully engaged in a reprisal against Plaintiff because she opposed sexual harassment, in violation of Minn. Stat. § 363A.15.
2. Because of the actions Plaintiff took to oppose sexual harassment, Defendant took adverse actions against her including placing her on an unpaid leave, constructively discharging her, and disparaging her to prospective future employers.
3. The unlawful employment practices complaint of above were intentional and were performed by Defendant with malice and/or reckless indifference to Plaintiff's rights.
4. As a direct and proximate cause of Defendant's illegal conduct, Plaintiff has suffered, and continues to suffer, emotional distress, mental anguish, humiliation, embarrassment, loss of reputation, lost wages and benefits, has incurred attorneys' fees, costs and expenses and has suffered other serious damages.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff requests the following relief:

- A. That the practices of Defendant complained of herein be adjudged, decreed and declared to violate the rights secured to Plaintiff by the Minnesota Human Rights Act, Minn. Stat. § 363A.01 *et seq.*
- B. That a permanent mandatory injunction be issued requiring that Defendant adopt practices in conformity with the requirements of the Minnesota Human Rights Act, Minn. Stat. § 363A.01 *et seq.*
- C. That a permanent prohibitory injunction be issued prohibiting Defendant from engaging in the practices complained of herein.
- D. That the Court order Defendant to pay a civil penalty to the State of Minnesota pursuant to Minn. Stat. § 363A.29.
- E. That Plaintiff be awarded compensatory damages in an amount to be established at trial, and treble damages pursuant to Minn. Stat. § 363A.33 and § 363A.29.
- F. That Plaintiff be awarded punitive damages pursuant to Minn. Stat. § 363A.29 in an amount to be established at trial.
- G. That the Court issue an order enjoining Defendant and its officers, agents, and employees from subjecting Plaintiff to differential treatment and from any retaliation against Plaintiff for prior actions, or for bringing this action.
- H. That the court retain jurisdiction until the Court is satisfied that the Defendant has remedied the practices complained of herein and are determined to be in full compliance with the law.
- I. That the Court order Defendant to pay counsel for Plaintiff her reasonable attorneys' fees and the costs and expenses of this action.

- J. That Plaintiff be awarded pre- and post-judgment interest on any monetary damages awarded, pursuant to Minn. Stat. § 549.09 (2013).
- K. Pursuant to Minn. R. Civ. P. 8.01, notice is provided that reasonable damages may be greater than \$50,000.
- L. That Plaintiff be awarded such other and further legal and equitable relief as may be found appropriate, just, and equitable.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial in this action.

Dated: January 18, 2019

**GENDER JUSTICE**

*s/ Christy L. Hall*

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**Counsel for Plaintiff**

**ACKNOWLEDGMENT**

The undersigned acknowledges that pursuant to Minn. Stat. § 549.211, subd. 2, that costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposing party or parties in this litigation if the Court should find that the undersigned acted in bad faith, asserted a claim or defense that is frivolous and that is costly to the other party, asserted an unfounded position solely to delay the ordinary course of the proceedings or to harass, or committed a fraud upon the Court.

Dated: January 18, 2019

s/ Christy L. Hall